

REMARKS

Claims 1-3, 6, 8-10, 12, 14, 16-18, and 20-29 are pending and stand rejected. Claims 1, 16, and 24 are independent claims and have been amended.

Examiner Interview:

Applicant's representatives wish to thank Examiner Jacobson for the opportunity to discuss the pending claims on August 16, 2011. Agreement was reached regarding amending claim 1 to better distinguish the claim over the cited art. Specifically, Examiner Jacobson suggested that claim 1 could be amended to recite that the woven polymer mesh layer consists of woven polymer mesh to distinguish this layer from a mesh layer impregnated with resin. As agreed during the Examiner Interview, support for this amendment may be found at page 6 of the as-filed specification.

Rejections under 35 U.S.C. 103(a):

Independent claims 1, 16, and 24 have been rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Number 5,328,142 (Weekers) in view of United States Patent Number 6,295,782 (Fyfe). Claims 1, 16, and 24 have each been amended to recite a tube having one or more sub-layers, wherein each sub-layer is a laminate that comprises *a layer consisting of a woven polymer mesh*. Applicant submits that neither Weekers nor Fyfe, alone or in combination, teaches or suggests a tube with a layer *consisting of a woven polymer mesh* as currently claimed.

As a preliminary matter, the office action indicates that Weekers is silent regarding disposing a polymer mesh in between paper and polyethylene layers. Accordingly, applicant directs this response to the teachings of Fyfe. Based on the amendments made to claim 1, applicant submits that Fyfe also fails to teach the claimed layer consisting of woven polymer mesh.

In that regard, Fyfe teaches a fabric layer impregnated with resin. As depicted by Figure 13 of Fyfe (see next page), the fabric layer is treated with a resin bath 1305 prior to application on exterior surface 103 (Fyfe, col. 8, lines 27-35). This resin bath fully penetrates the open

spaces of the fabric forming a fabric layer that includes both the fabric and the resin. In contrast, the claimed mesh layer is not impregnated with the polyethylene and is instead a discrete layer that includes only the woven mesh. In this way, the polyethylene layer attaches to the mesh and paper by simple surface bonding. Accordingly, because the fabric layer of Fyfe is impregnated with a resin applicant submits Fyfe does not teach a tube having one or more sub-layers, wherein each sub-layer is a laminate that comprises *a layer consisting of a woven polymer mesh*, as claimed.

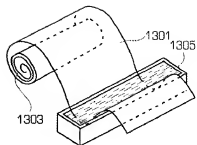


FIG. 13

Therefore, neither Fyfe nor Weekers alone or in combination teaches a tube as claimed in claims 1, 16 and 24. Accordingly, applicant submits that independent claims 1, 16, and 24 (and claims 2, 3, 6, 8-10, 12, 14, 17, 18, 20-23, and 25-28 which ultimately depend from one of claims 1, 16, and 24) are patentable over the cited art.

For all of the forgoing reasons, applicant respectfully submits that all of the pending claims are in condition for allowance. If the Examiner determines that a telephone conference would further the prosecution of this case, she is invited to telephone the undersigned at her convenience.

Date: September 1, 2011

/Sarah Dukmen/

Sarah Dukmen

Registration No. 64,899

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439